

(Spl.-H.C.A.S.C.D., 78-e)

FARAD CONTINUATION SHEET NO.

**IN THE HIGH COURT OF BOMBAY AT GOA
PANAJI, GOA.
APPELLATE SIDE**

DISTRICT :

MISCELLANEOUS CIVIL APPLICATION NO.3.31 OF 2005
IN W.P. 325/04

Office Notes, Office Memoranda of	
Quorum, appearances, Court's orders	Court's or Judge's orders
or directions and Registrar's orders	

Mr D. Pangam, advocate for the
applicant/original respondent
no.2.

Mr. Y. V. Nadkarni, advocate for
respondent no.1/original
petitioner.

Mr.A.N.S. Nadkarni, Advocate
General with Mr. N. Takkekar,
Addl. Govt. Advocate for
respondent no.2.

CORAM : A. P. LAVANDE &
N.A. BRITTO, JJ.

DATE : 19th January, 2005.

P.C.

Heard Mr. Pangam, the
learned counsel on behalf of the

applicant, who was respondent no.2 in Writ Petition No.325 of 2004 and which Writ Petition was disposed of by this Court by Order dated 28th September, 2004.

2. Upon objection having been taken by Mr. Nadkarni, learned Advocate General regarding the maintainability of this application, with reference to the decision of the Hon'ble Supreme Court in the case of ***State of Uttar Pradesh vs. Brahm Datt Sharma & Anr.***, ([1987] 2 SCC 179). Mr. Pangam, the learned advocate for the applicant, upon taking instructions from the applicant, seeks leave to withdraw the application with liberty to file appropriate proceedings at the

appropriate stage.

3. Leave granted. The application stands dismissed as withdrawn.

A. P. LAVANDE, J.

N.A. BRITTO, J.

mc.